REMARKS

Claims 1-26 are pending in this application, all of which stand rejected. Claims 1-26 have all been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent App. No. 2004/0243576 (Shrivastava). For the reasons set forth below, applicants respectfully disagree and traverse.

The present claims are not identical in either scope, language, or substance. Applicants note that it would be incorrect to characterize the different claims of this application as have the same or similar meaning based on comments made herein, since the claim language speaks for itself and is not susceptible to any such characterization. However, for the Examiner's convenience, applicants note that the independent claims (1, 10, 11, 20, and 26) define a join between a parameter table and a template to generate a query. In particular:

- Claims 1 and 10 each define: "performing a join between said parameter table and said parameterized subscription template to generate a query"
- Claim 11 defines: "the parameter table is joined with at least one of the subscription templates to generate a notification query"
- Claim 20 defines: "joining the parameter table with the query templates to generate a notification query"
- Claim 26 defines: "joining the parameter table with the query templates to generate a notification query"

Applicants direct the Examiner's attention to the fact that the query is generated by *joining* the parameter table with a template, since generating a query by performing join is not shown in the applied reference.

Shrivastava can arguably be understood as describing a system that generates a query (e.g., Shrivastava, ¶¶ 185-186). However, Shrivastava does not generate a query by performing a *join* between two other components.

The Examiner's stated position is that the Shrivastava's "catalog table" and "SQL statement" correspond to the claim features of a "parameter table" and a "subscription template," respectively. Even if this analogy were correct, there is no teaching in Shrivastava that the catalog table is *joined* with an SQL statement to produce a query. At most,

Shrivastava shows the catalog table and SQL statement being *combined* in some manner. However, "combine" is not a synonym for "join." As is well known the art, term "join" has a meaning in the context of database systems, and is not a synonym for "combine." While applicants do not import an external definition into the claims, and do not limit the claims to any particular external definition, for the Examiner's convenience applicants note that http://en.wikipedia.org/wiki/Join_(SQL) contains an example explanation of the term "join."

In particular, it should be noted that, in response to prior Office Actions, applicants have noted that the Examiner has overlooked the use of the term "join" in the claims and the meaning of that term in the context of database systems. The Examiner has never responded by explaining how the term "join" – in its usage relating to database systems – reads on the applied art. If the Examiner maintains the rejection, applicants request that, in a subsequent Office Action, the Examiner explain how the Examiner is construing the claim term "join," and how that term is being applied to the art.

Shrivastava does not teach that a query is produced by joining a catalog table and an SQL statement. While the term "join" is mentioned liberally throughout Shrivastava (e.g., ¶¶ 103, 185, 188), there is no mention that the catalog table is joined with an SQL statement to produce a query. Since the Examiner has analogized the claims' parameter table and template to Shrivastava's "catalog table" and "SQL statement," respectively, in order to meet the standard for anticipation the Examiner would have to show that the Shrivastava teaches the joining of a catalog table with an SQL statement. But no such teaching has been found in Shrivastava.

An anticipation rejection requires that every element of a claim be found, either expressly or inherently, in a single prior art reference. MPEP 2131. A join between a parameter table and a template is not expressly taught in Shrivastava. Nor can such a join be found to be inherently taught, since "[i]nherent anticipation requires that the missing descriptive material is 'necessarily present," not merely probably or possibly present, in the prior art." *Trintec Indus. v. Top-USA*, 296 F.3d 778 (Fed. Cir. 2002). In Shrivastava, no join between the catalog table and SQL statement can be said to be necessary.

Accordingly, it is clear that Shrivastava does not anticipate independent claims 1, 10, 11, 20, and 26 of the present application, and applicant requests that the section 102 rejections of those claims be reconsidered and withdrawn.

Moreover, since the remaining claims are patentable at least by reason of their dependency, applicants request that the dependent claims likewise be reconsidered and withdrawn.

Summary of Interview

A telephone interview was held between applicants' representative and Examiner Hanh Thai on March 21, 2007. The Shrivastava reference and the independent claims were discussed. No agreement was reached.

In particular, applicants' representative highlighted the point that the independent claims define a "join" or "joining" between a parameter table and a template to generate a query. Applicants' representative pointed out that Shrivastava does not teach or suggest this feature, and thus cannot be said to anticipate the claims. The Examiner pointed to the mention of "join" in paragraphs 103-104 and 185-186 of the Shrivastava reference. Inasmuch as the Examiner has found the "catalog table" and "SQL statement" of Shrivastava to correspond to the "parameter table" and "template" of the claims, applicants' representative pointed out that Shrivastava does not show any "join" between the catalog table and the SQL statement to generate a query. Rather, Shrivastava mentions a join between two tables, and this mention of a join is only to evaluate a query that has already been created, and not to generate a query as in the independent claims.

The Examiner agreed to carefully consider applicants' written response to the Office Action in light of the issues raised at the telephone interview.

Applicants submit that the foregoing summary satisfies any requirement to summarize the interview under 37 C.F.R. § 1.133(b).
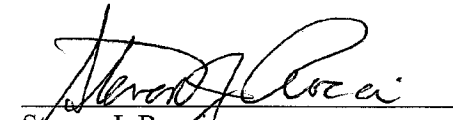
Conclusion

        For all of the foregoing reasons, applicants request that the rejection of all claims be reconsidered, and respectfully submit that this case is in condition for allowance.

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